

**CITY OF SOUTH BURLINGTON**  
**WATER ORDINANCE**

APPROVED NOVEMBER 4, 2002

BY THE

SOUTH BURLINGTON CITY COUNCIL

SOUTH BURLINGTON WATER ORDINANCE  
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## REGULATIONS OF WATER USE

AN ORDINANCE REGULATING THE INSTALLATION AND USE OF PUBLIC AND PRIVATE WATERLINES, THE INSTALLATION OF WATER SERVICE CONNECTIONS, METERS, BACKFLOW DEVICES, HYDRANTS, VALVES AND OTHER EXISTING OR PROPOSED COMPONENTS OF THE WATER SYSTEM OWNED OR MANAGED BY THE SOUTH BURLINGTON WATER DEPARTMENT, COUNTY OF CHITTENDEN, STATE OF VERMONT, AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF.

The City Council of the City of South Burlington constituting the Board of Water Commissioners for the South Burlington Water Department hereby ordains and enact:

### ARTICLE I

#### Section 1. Definitions

Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:

**Approved** - Accepted by the South Burlington Water Department as meeting an applicable specification stated or cited in this ordinance.

**Backflow** - (1) A flow condition, induced by a differential in pressure, that causes the flow of water or other liquid into the distribution system of a potable water supply, from any source or sources other than its intended source. (2) The backing up of water through a conduit or channel in the direction opposite to normal flow.

**Backflow Preventer** - A device or means designed to prevent backflow.

**Air-Gap** - The unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or pipe or faucet supplying water to a tank, plumbing fixture, or other device and the level rim of said vessel. An approved air-gap shall be at least double the diameter of the supply pipe, measured vertically above the top of the overflow rim of the vessel; and in no case less than one inch.

**Reduced Pressure Principle Device** - An assembly of two independently acting approved check valves together with a hydraulically operating, mechanically independent pressure relief valve located between the check valves and at the same time below the first check valve. The unit shall include properly located test cocks and tightly closing shut-off valves at each end of the assembly. The assembly shall operate to maintain the pressure on the public water supply side of the device. At cessation of normal flow the

pressure between the two check valves shall be less than the pressure on the public water supply side of the device.

In case of leakage of either of the check valves the differential relief valve shall operate to maintain the reduced pressure in the zone between the check valves by discharging to the atmosphere. When the inlet pressure is two pounds per square inch or less, the relief valve shall open to the atmosphere. To be approved these devices must be readily accessible for in-line testing and maintenance and be installed in a location where no part of the device will be submerged.

**Double Check Valve Assembly** - An assembly of two independently operating approved check valves with tightly closing shut-off valves on each end of the check valves, plus properly located test cocks for the testing of each check valve. To be approved these devices must be readily accessible for in-line testing and maintenance.

**Cellar Stop** - The valve installed on the service pipe after it enters the building and before the water meter. May also be called ball valve, service gate valve.

**Chapter 21** - Shall mean the most current version of the State of Vermont Water Supply Rule.

**City** - Shall mean the City of South Burlington or any duly authorized agent or employee of the City of South Burlington.

**City Center Service Area** - That area of the City located in the Central District I zoning district, as designated By the south Burlington Zoning Regulations presently in effect or hereafter amended.

**Commercial or Industrial Unit** - A single, commercial or industrial unit, whether rented or owned by the business or occupant, which has independent ingress and egress or has common ingress or egress with other units within a building or structure, but with separate commercial or industrial facilities. Examples may include, but not limited to, stores located in shopping centers or separate office or condominium units within a single building or structure. A commercial or industrial unit is for use other than residential purposes.

**Completed Construction** - Shall mean: For a single building; completion of all foundation, framing, siding, roofs and improvements; or for subdivision development; the completion of all building on all buildings on all lots.

**Connection Fee** - A two part fee comprised of a connection fee and a water initiation fee imposed on applicants for the City's cost of performing, supplying materials, supervising, inspecting and administering a connection to the water system, including any water service extension, upgrade of a water service, or for any portion of these activities.

**Contaminant** - Any physical, chemical, biological, or radiological substance or matter in water.

**Contamination** - Shall mean an impairment of the quality of water which creates an actual hazard to the public health through poisoning or through the spread of disease by sewerage, industrial fluids, waste, etc.

**Corporation Stop (Corporation)** - A valve for joining a service pipe to a street water main. It is usually owned and operated by the City. It cannot be operated from the surface.

**Council** - The South Burlington City Council.

**Cross Connection** - Any physical connection or arrangement between two otherwise separate piping systems; one of which contains potable water and the other water or liquid of unknown or questionable safety, steam, gases or chemicals whereby there may be a flow from one system to the other.

**Curb Stop** - The valve that normally terminates the City's portion of the service line normally located at the highway right-of-way or public water main right-of-way and to which the buildings service line is connected to provide water service to the user.

**Department** - Shall mean the South Burlington Water Department. In this ordinance Department and South Burlington Water Department are interchangeable.

**Development** - The construction of improvements on a tract of land for any purpose, including but not limited to, residential, commercial, industrial, manufacturing, farming, educational, medical, charitable, civic, recreational, and religious uses.

**Development Water Flow** - The estimated flow calculated using flow quantities, adopted as rules by the State of Vermont, as promulgated at the time a water allocation letter is requested.

**Disconnection** - The deliberate interruption by the Department of water service to the user.

**Disinfectant** - Any substance, including but not limited to chlorine, chlorine dioxide, chloramines, and ozone added to water in any part of the treatment or distribution process, that is intended to kill or inactivate pathogenic microorganisms and potential pathogens.

**District** - Shall mean the legislative body of the Champlain Water District or its appointed representatives.

**Easement** - Shall mean the authorization of a property owner for the use by another or for a specified purpose, of any designated part of his property.

**Fire Flow** - The rate of flow, usually expressed in gallons per minute that can be delivered from a water distribution system at a specified residual pressure for fire fighting purposes.

**Fire Service** - The water service provided to a user for fire protection systems or equipment installed on the property of the user, such as a sprinkler system.

**First Come, First Served Basis** - Shall mean the review of complete plans and applications for approval of a project in the order in which they were received by the Department.

**Hydrant, Public** - A hydrant installed by the City within public rights-of-way, on City property or within an easement owned by the City, or installed by a person other than the City which has been offered to the City and accepted by the City, which acceptance is documented by action of the Superintendent of Council.

**Hydrant, Private** - A hydrant not constructed by the City or within the City public right-of-way, nor on City property or within an easement owned by the City, or a hydrant that has not been accepted by the Superintendent or Council.

**Industrial Fluids System** - Shall mean any fluid or solution which may be chemically, biologically or otherwise contaminated or polluted in a form or concentration which would constitute a health, system, pollutional or plumbing hazard if introduced into an approved water supply. This may include, but not be limited to: polluted or contaminated used waters; all types of process waters originating from the public potable water system which may deteriorate in sanitary quality; chemicals in fluid form; plating acids and alkalies, circulated cooling waters connected to an open cooling tower and/or cooling

waters that are chemically or biologically treated or stabilized with toxic substances; contaminated natural waters such as from wells, springs, streams, rivers, bays, harbors, seas, irrigation canals or systems, etc; oils, gases, glycerine, parafins, caustic and acid solutions and other liquid and gaseous fluids used industrially, for other processes, or fire fighting purposes.

**Irrigation System** - A network of piping designed to distribute water on or towards plant life to promote growth.

**Legislative Body** - The City Council of South Burlington.

**Manager** - The South Burlington City Manager or a representative authorized by the Manager.

**Manifold** - A pipe fitting with numerous branches to convey fluids between a large pipe and several small pipes or to permit choice of diverting flow from one of several sources or to one of several discharge points.

**Pathogenic** - Causing or capable of causing disease.

**Peak Demand** - The maximum momentary load placed on a water system.

**Permit** - A written document issued by the South Burlington Water Department pursuant to this ordinance giving designated person(s) permission to operate and/or construct, alter, renovate or connect to or draw water from the South Burlington water system.

**Person (Customer, User)** - An individual, partnership, association, syndicate, company, firm, trust, corporation, government corporation, municipal corporation, institution, department, division, bureau, agency or any entity recognized by law requesting water from the City.

**Pollution** - A condition representing the presence of nonpotable, harmful, or objectionable materials in water.

**Potable Water** - Water free from impurities in amounts sufficient to cause disease or harmful physiological effects, with the bacteriological, chemical, physical and radiological quality conforming to applicable regulations and standards of the Safe Drinking Water Act administered by the VT Water Supply Division.

**Private Street** - Any road, lane, or way, intended for vehicular access purpose, which serves a subdivision, and is neither owned nor maintained by the City.

Private streets and hence, private water mains and appurtenances shall be marked as such on final plats. The Planning Commission per the City of South Burlington Subdivision Regulations may adopt a street as private.

**Property Owner (Owner)** - That person(s) or user identified as owner of a property by recorded deed.

**Public Water System** - Shall mean a water system in which all owners of abutting properties have equal rights, and is controlled by public entity.

**Residential** - Shall mean water consumption consistent with common household activities.

**Retail Department** - The retail division of the Champlain Water District is responsible for the administration and operation of the retail water system owned by the City of South Burlington.

**Sampling** - The act or technique of selecting a representative part of the water supply for testing and analysis.

**Service Connection** - Each single water pipeline, which provides water to an individual residential living unit, a commercial unit or an industrial unit from the public water system, is a service connection. The service connection shall start at the corporation stop at the main water line and extend inside the building to the water meter. The applicant to Department standards shall construct the service connection on new construction. Once installed, the responsibility for maintenance and repairs on the service connection is split at the curb stop between the owner/applicant and the Department. The Department has responsibility for maintenance from the main line to and including the curb stop which is normally located at the edge of the City Right-Of-Way. The owner/applicant has responsibility for maintenance and repairs from beyond the curb stop to and inside the building with the exception of the meter.

**Shall** - Is mandatory; **May** - is permissive.

**Standard Methods** - Methods for examination of water and wastewater published jointly by the American Public Health Association, the American Water Works Association or the Water Pollution Control Federation or successor organizations.

**Subdivision** - Shall mean a tract of land, owned or controlled by a person as defined herein, which has been partitioned or is intended to be divided for the



purpose of sale or lease into two (2) or more lots. A subdivision shall include any development of a parcel of land such as a commercial or industrial complex, multi-family project, planned unit development, or planned residential development.

**Superintendent** - Shall mean the Retail Superintendent of the Champlain Water District, or his authorized representative.

**Tapping Sleeves** - A split sleeve used in making a wet connection where a single branch line is to be tapped into a water main under pressure.

**Traverse** - To cross via an easement through, or to pass within a City right-of-way along the edge of, the property in question.

**Valve Boxes** - A metal box set over a valve and rising to the ground surface, to allow access to the operating nut for opening and closing the valve. A cover is usually provided at the surface to keep out dirt and debris.

**Water Main** - A pipeline used for the transmission of water to hydrants and service connections, together with such appurtenant facilities as are necessary for the proper operation of the main.

City Water Main- A water main constructed by the City within public rights-of-way, on City property or within an easement owned by the City, or a water main constructed by a person other than the City which has been offered to the City and accepted by the City, which acceptance is documented by action of the Superintendent or Council. Any other water main in the City which is not a CWD water main shall be deemed a private main for the purpose of this ordinance.

CWD Water Main- A water main owned and controlled by CWD.

**Water Supply System** - Shall mean any publicly owned water system operated as a public utility under a valid State permit to supply water for domestic purposes. This system will include all sources, facilities and appurtenances between the source and the point of delivery such as valves, pumps, pipes, conduits, tanks, receptacles, fixtures, equipment and appurtenances used to produce, convey, treat or store potable water for public consumption or use.

**Wet Tap (Tap)** - A connection made to a main that is pressurized.

## Section 2. Abbreviations

For the purpose of this Ordinance, the following abbreviations shall have the meaning ascribed to them under this ARTICLE. References to standards of the following organizations shall refer to the latest edition of it.

**ANSI** - Shall mean American National Standards Institute.

**ASME** - Shall mean American Society of Mechanical Engineers.

**ASTM** - Shall mean American Society of Testing and Materials.

**AWWA** - Shall mean American Water Works Association.

**CWD** – Shall mean the Champlain Water District

**DRB** - Shall mean the Development Review Board of the City of South Burlington.

**GMWEA** - Shall mean the Green Mountain Water Environment Association, Inc.

**NPC** - Shall mean National Plumbing Code.

**NeRWA** - Shall mean the Northeast Rural Water Association.

**NEWWA** - Shall mean New England Water Works Association, a section of AWWA.

**NFPA** - National Fire Protection Association

**SBWD** - South Burlington Water Department

## **ARTICLE II**

### **EXTENSION, MODIFICATION AND MAINTENANCE OF CITY AND CWD WATER MAINS**

#### **Section 1**

No person shall construct a water main that is to be connected to a City water main, without the prior, written approval of the Superintendent.

#### **Section 2**

Any water main which is to be connected to a City water main shall be constructed in accordance with the following standards and requirements:

- A. Minimum pipe size shall be eight-inch (8"), unless the Superintendent grants written approval for use of a smaller pipe size. The Superintendent may require the installation of a larger pipe size. If the Superintendent requires a pipe larger than that necessary for a development, then the City shall reimburse the person or developer installing the water main for the difference in cost of material between the eight-inch (8") and the larger pipe.
- B. Water mains shall be located within the right-of-way limits of public highways in the City, unless the Superintendent grants written approval for locations of a water main on other property owned by the City or within an easement granted to the City. Where a water main is to be located in an easement, the easement shall:
  - (1) Be perpetual in duration;
  - (2) Be of sufficient width to accommodate the water main and reasonably needed or anticipated appurtenant facilities;
  - (3) Be of adequate scope to allow the perpetual repair, replacement, operation and use of the water main and appurtenant facilities located within the easement;
  - (4) Be sufficiently restrictive to prevent the installation or construction of improvements within the limits of the easement, including landscaping improvements, that would place an unreasonable burden on the City when exercising its rights under the easement;
  - (5) Extend across the entire property of the property to be served to enable continuation of the main across adjoining property; and
  - (6) Shall act as a bill of sale to convey the water main and appurtenance facilities located in the easement to the City.

- C. When a water main is extended to serve a specific property, the property owner shall be responsible for constructing the main to the property's furthest property line to allow for continuation to adjoining properties.
- D. Persons designing and constructing water mains shall use the most recent version of the Specifications And Details For The Installation Of Water Lines and Appurtenances For All Water Systems Owned By The Champlain Water District, The City Of South Burlington, Colchester Fire District #1, And The Village Of Jericho. Looping of water lines shall be a design requirement wherever feasible.
- E. Unless otherwise approved by the Superintendent in writing, all water main construction work shall be performed between April 1 and November 15.
- F. A water main shall not be placed in service until the Superintendent issues written authorization of such action. Such authorization will not be issued until, at a minimum, the Superintendent has been provided written certification from a professional engineer licensed in Vermont that the water main and appurtenant facilities;
  - (1) Have been constructed in accordance with approved plans and required standards; and
  - (2) Has been inspected and tested with results that demonstrate compliance with applicable standards.

### Section 3 Testing and Disinfection of Pipeline

All water mains shall be constructed, tested and disinfected in accordance with the Specifications noted in Section 2. The test pressure for all mains shall be minimum of 200 psi; or 150% of working pressure, whichever is greater.

All costs for all water, materials, equipment and labor to perform the required testing and disinfections of the pipeline shall be borne by the Contractor.

From the date the new system is placed into service, for one year, the developer/contractor will be responsible for any necessary repairs or corrections.

### Section 4

No person shall initiate excavation work within the limits of any City or CWD water main easement without the prior written approval of the Superintendent.

## Section 5

No person shall perform any work or make any modifications or connection to a City or CWD water main without the prior written approval of the Superintendent.

## Section 6

The Department shall be responsible for the maintenance of all City water mains. The Department shall oversee the maintenance of private water mains at current rates for labor and material that shall be billed to the private water main owner.

## Section 7

The Department shall be responsible for the maintenance of all hydrants in the City. Each private hydrant shall be assessed a private hydrant fee. The Department shall provide routine service, including flushing, lubricating, flow testing, painting, pumping and leak detection, to private hydrants for this fee. Work beyond routine labor and material shall be performed at current rates for labor and material and billed to the hydrant owner.

## Section 8 Connecting to Champlain Water District Transmission Pipelines

Persons wishing to connect to or tap a water line owned by CWD must contact the Superintendent.

## Section 9 Private Water Mains and Hydrants:

1. The Department shall not maintain any water lines that have not formally been accepted by the City as stated in Section 2 above, except in subdivisions that are designed to Department specifications and are intended to be accepted, as defined in number 5 below.
2. All water lines and appurtenances not located in the City right-of-way or public grounds shall be considered private pursuant to these ordinances and others of the City
3. All water mains and appurtenances located within an area so designated as restricted or private by the developer shall be considered private.
4. Water lines, hydrants, and appurtenances installed at the request of a property owner in a location that none was planned or intended shall be considered private, unless waived by the Council.
5. All water mains and appurtenances in new developments which have not had final inspections by the Department, or are still under warranty by the contractor, though not subject to an annual fee, are liable for all other fees or

charges if services are requested by the developer, until such time as the lines are deeded over and accepted by the City, pursuant to these ordinances and others.

## **ARTICLE III**

### **BUILDING WATER SERVICE CONNECTIONS**

#### **Section 1**

No person shall initiate construction work to make a connection to a City or CWD water main without obtaining a permit from the Department authorizing such connection. Application for a permit shall be made on forms provided by the Department and shall be supplemented by any plans, specifications or other information which the Department deems necessary to review the application. Required application fees shall accompany applications. Any person proposing a new water allocation from the distribution system or a substantial change in the volume from the system shall notify the Department at least 45 days prior to the proposed change or connection. No such change or connection shall be made without written approval from the Superintendent as required in this ordinance.

The allocation request shall be supplemented by any plans, specifications, or other information considered pertinent by the Department.

#### **Section 2**

The Department shall act on applications for connections to CWD water mains in accordance with procedures established by the Department. Applicants seeking approval for such connections shall be subject to all applicable Department procedures, requirements and fees.

#### **Section 3**

Service connections to City water mains shall be subject to the following requirements:

- A. All costs and expense incident to the installation and connection of the building water service connection from the water main to the building or structure shall be borne by the owner. The Department shall perform all necessary excavation from the main to the curb stop unless the Department gives permission to allow excavation by others. The property owner/agent is responsible and must provide all necessary excavation from the curb stop to the building structure. The owner shall indemnify the Department from any loss or damage that may directly or indirectly be occasioned by the installation of the water service connection.
- B. A separate and independent corporation stop and curb stop with approved curb box shall be provided for every building. Where one building stands at the rear of another or on an interior lot and no water system is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, the Department may allow two services from a single corporation stop, providing each building has a separate curb stop and curb box. Use of an existing single corporation stop and service line may only be used when found on exam by the Department, to be in satisfactory condition and meeting all

requirements of this ordinance. The burden of proof and all expenses incurred by the Department to determine the condition and adequacy of the service line shall be borne by the owner of said service line.

- C. The size, depth, alignment, materials of construction of the building water service connection and the methods to be used in excavating, placing the pipe, jointing, testing and backfilling the trench, shall all conform to the requirements of the Specifications noted in Article II or other applicable rules and regulations of the Department. In the absence of code provisions or in amplification thereof the materials and procedures set forth in appropriate specifications of the National Plumbing Code, Ten States Standards for Water Main and AWWA Standards, all latest editions, shall apply. Furthermore, the following additional standards shall apply:

- (1) New type "K" copper shall be used for all service lines up to and including two-inch (2") diameter pipe from the corporation stop to the curb stop. No PVC may be used between the main and curb stop.
- (2) Service connections over two inches (2") shall require a tapping sleeve and valve.
- (3) New service lines up to two inches (2") shall be copper from the curb stop to the building. The Department reserves the right to inspect all water service lines from the curb stop to the building.
- (4) All service connections shall be laid at a minimum depth of 6', unless specifically waived by the Department.
- (5) Service connection taps to the main water line shall only be performed by firms qualified to perform the service connection tap. The qualification of a firm to perform this tap shall be determined by the Department.

The Specifications noted in Article II contain additional guidelines for the installation of building service connections.

- D. Prior to any service connection being made to the main water line, the Superintendent or his designee shall be given at least two (2) working day's notice in order that the work can be scheduled for inspection. All service connections will be made during normal workday hours and no connection shall be allowed on Saturday, Sunday or legal District Holidays. If the Superintendent or his designee has not been properly notified and the work has proceeded, the Superintendent or his designee may require the completed work to be uncovered for examination, at the owners' expense and/or be prepared to bear all repair costs if problems arise. The property owner/agent shall agree, as a condition of receiving approval for connection to the Department water system, to restore the street, sidewalk, curbs, electrical lines, grassed or open areas or other features to their original conditions after the installation of the said water line. The property owner/agent shall be responsible for obtaining all local and/or state permits required prior to any excavation. Failure to comply with proper



restoration of facilities may subject the property owner to penalties regardless of whether the installation was performed by the owner of the property or another party.

#### Section 4

All service connections to City water mains shall have water meters that shall be installed as follows:

- A. All buildings connected to the City owned water system shall be required to have meters installed.
- B. The property owner of all buildings shall be required to perform all interior or exterior plumbing necessary to accommodate the required meters.
- C. The Department will provide a meter or meters with outside reader(s) in one of the following sizes for each structure. Meter size will be determined by the Department based on flow information supplied to them from the developer or engineer.

<u>Meter Size</u>	<u>Operating Range</u>
5/8" x 3/4"	1/2-20 gpm (standard residential)
3/4" x 3/4"	3/4-30 gpm
1"	1-50 gpm
1 1/2"	2-100 gpm
2"	2 1/2 -160 gpm

- D. In the event an owner desires additional meters within a structure after the Departments meter to further establish usage in addition to the stated requirements, it shall be the owner's responsibility to purchase, install, read and maintain these additional meters. The meters shall be approved by the Department prior to installation.
- E. In cases where the Superintendent determines that it is not feasible or in the best interest of the City to install individual meters for multiple units, the Department may allow a single meter to serve multiple units. The number of meters required shall be determined solely by the Department.
- F. Additional meters for the purpose of identifying specific commercial/industrial flows due to the subdivision of an existing building may be installed if approved by the Department. Where such additional meters are to be used by the Department as a basis for billing, the Department shall install the meters at the owner's expense at current connections fees as shown in Appendix I.

- G. It is the responsibility of the Department to fix, check or replace defective or non-working meters within the Department. The Department will provide any normal maintenance of meters without charge. It is the responsibility of the owner to provide the Department access to the building, upon request by the Department, to replace, fix or check the non-working meter. The owner shall take reasonable measures to protect the inside meter and outside reader from damage. Reasonable space shall be provided around the meter for accessibility to remove, repair, install, wire, and read the meter. All meters shall be set horizontally and upright.
- H. Each meter installed shall be controlled by a curb stop directly associated with the meter unless waived by the Superintendent.
- I. Water users must connect all fixtures supplied with water on their premises through their meters in such a manner that all water used will be measured.
- J. Failure of a building owner to provide access to the water meter for repairs, maintenance or upgrade, upon request by the Department, shall be considered a violation of this ordinance.

## Section 5

The Department may require appropriate tests be made to the pipes and appurtenances and the owner or their agent at their expense, shall furnish all necessary tools, labor, materials, and assistance for such tests and shall remove or repair any defective materials when so ordered by the Department. The Department reserves the right to demand any unmetered use, whether intentional or unintentional, be corrected within a reasonable period of time. The Department may send an estimated bill for unmetered water to the owner.

## Section 6

The City owns and is responsible for maintenance and repair of water service connections from the City owned main line up to and including the curbstop, and the water meter. Only a Department employee may operate, repair, replace, remove, or modify these items. The owner is responsible for the service line from the curbstop to the building and for all internal plumbing except for the meter.

Water service lines that have only a tapping valve connected to a City owned water main, controlling the flow of water through the line to the building shall only be owned and maintained by the Department up to and including the tapping valve. All costs associated with the repair and maintenance beyond the tapping valve, even if the line is located within the City right-of-way shall be borne by the owner.

It shall be unlawful for any person other than those authorized by the Superintendent to turn water on or off at the curb stop or gate valve.

It shall be unlawful to remove any seal or connecting pin from a valve, meter, or appurtenance.

A cellar stop shall be installed before the meter and a second valve installed on the opposite side of the meter so that the meter can be isolated. The owner shall be responsible for all costs associated with the purchase and installation of such valves. No bypass lines shall be installed around the meter without approval of the Superintendent.

#### Section 7

In case of loss or damage to the water meter, or equipment supplied by the City, the customer shall be liable for the repair and/or replacement of the meter or equipment. Such charges shall include the labor costs of removing, repairing or replacing the meter or equipment.

#### Section 8

A private water system to which the customer has connected a City water service line, shall be disconnected before City water service begins so that water from the private system cannot feed back into the City distribution system. The Department reserves the right to inspect premises at any time for compliance with this section. The use of pumps at a customers premises, which pumps are connected in any way to the City water service is prohibited except upon the prior written consent of the Department. In no instance shall any pump use be allowed to interfere with the quality of service to other City customers, and/or where the possibility of damage to piping of the City or other customers could occur.

#### Section 9

Onsite wells will not be permitted for new construction where City water supply is reasonably available, unless waived by the Superintendent. The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the City and abutting any street, alley, or right-of-way in which there is located City water, is hereby required at his/her own expense to connect such property to the City water main within one hundred and eighty (180) days of official notice to do so, unless specifically exempted from this provision by the Council. Such notice may be given in the event of a situation that may affect the health of City residents.

## Section 10

No water service connection to any premise shall be installed or maintained by the South Burlington Water Department unless the water supply is protected as required by the most recent version of the City of South Burlington Water System Ordinance and the Rules and Regulations for the Control of Cross Connections Within the City of South Burlington. Service of water to any premise shall be discontinued by the Superintendent if a required backflow prevention assembly is not installed, tested, and maintained, or if it is found that a backflow prevention assembly has been removed, bypassed, or if an unprotected cross-connection exists on the premise. Service will not be restored until such conditions or defects are corrected.

## Section 11

Seasonal service shall be supplied primarily from April 15th to November 1<sup>st</sup> depending on frost conditions and weather.

## Section 12

A meter test fee shall be charged against the customer's account for those who request that their meter be removed and tested. The customer shall be informed of this fee prior to the removal of the meter for testing. The customer shall not be charged for a meter test if the meter is found to be registering fast, outside of AWWA standards. Notwithstanding this section, residential customers may request a meter test once every five (5) years at no cost to the customer.

## Section 13

All excavations for building water service connections shall be adequately guarded with barricades and lights so as to protect the public from hazard. Construction within the City right-of-way shall only be performed when appropriate permits have been obtained. Construction within the State Highway right-of-way may require a permit from the Agency of Transportation. Every effort shall be made to permit vehicular traffic at all times.

## Section 14 Water Allocation

### A. Ownership of Capacity

The City of South Burlington owns the water distribution system and utilizes the CWD owned water storage system within the City as defined in this ordinance and CWD policies. The City is obligated to comply with conditions put forth by the Department of Environmental Conservation Water Supply Division as it relates to water distribution and water storage requirements.

The capacity of the City of South Burlington's water distribution and storage system is the property of the City of South Burlington.

Capacity calculations shall include a reserve capacity of 50,000 gallons per day for the City Center, which amount may be reduced from time to time upon the granting of final allocations for development within the City Center Service Area.

#### B. Reserve Capacity Allocation

All allocations to projects shall be based on the development water demands. Any differential between actual demands and requested demands is not available for reallocation for another project or for project expansion.

Persons seeking an allocation of uncommitted reserve capacity shall apply to the Department for a preliminary allocation on an authorized form. Such application shall;

1. Be accompanied by a calculation of the development water demand to be generated by the project/development following VT Water Supply Rule requirements;
2. Unless waived by the Superintendent all calculations over 1,000 gallons per day (gpd) shall be certified by a Vermont registered engineer.

#### C. Preliminary Allocation Determination

Upon receipt of the application for water allocation with supportive documents, the Superintendent shall make a preliminary determination regarding allocation of uncommitted reserve capacity. The Superintendent shall issue a preliminary allocation upon making affirmative findings that there is sufficient reserve capacity, including City Center Reserve Capacity, as of the date of the application to accommodate the development water supply demand for the proposed development.

A preliminary determination by the Superintendent for allocation capacity shall not constitute a binding commitment of capacity to the applicant and may be revoked by the Superintendent before a final allocation of capacity is granted if uncommitted reserve capacity ceases to be available. A preliminary determination may be used by the applicant that a proposed development has sufficient water capacity available to proceed through the development review process.

#### D. Final Capacity Allocation

An applicant who holds a preliminary allocation of capacity may apply for a final application upon occurrence of the following:

1. Obtained site plan, conditional use and/or variance approval(s), if such approvals are the only approvals except a zoning permit, required for the proposed development under City zoning and subdivisions regulations then in effect; or
2. Obtained final approval for a subdivision, Planned Unit Development or planned Residential Development is such approvals are the only approvals, except a zoning permit, required for the proposed development under City zoning and subdivision regulations then in effect; or
3. Obtained all approvals required under subsection 1 and 2 above, if such approvals are required for the proposed development under City zoning and subdivision regulations then in effect; or
4. Does not require any approvals under City zoning and subdivision regulations then in effect.

Upon receipt of an application for a final allocation, the Superintendent shall grant a final allocation upon determination that the applicant has a preliminary allocation which has not been revoked and that sufficient uncommitted reserve capacity is available for the development.

A grant of final allocation shall constitute a binding commitment of water capacity to the applicant subject to the applicants compliance imposed on such allocation. The final allocation shall specify the allowed volume and any other characteristics determined appropriate by the Superintendent.

The capacity allocation is not transferable to any other person or development, except a successor in interest of the development for which the allocation has been granted.

#### E. Expiration of Allocation

1. A final capacity allocation shall expire on the date that any approval required for grant of the final allocation expires unless the applicant has obtained a zoning permit or permits for the development and initiated the action for which the zoning permit has been granted.
2. Section 1 above notwithstanding, for developments which an applicant has obtained a portion of the zoning permits, the remaining portion of the final allocation shall expire five (5) years from the date of issuance of the final allocation, unless extended as provided below.
3. The applicant may apply to the Superintendent to extend the capacity allocation for one period of five (5) years from the date of expiration of the final allocation.

4. Upon expiration of the final allocation or any portion thereof, the remaining capacity shall revert to the City.

The Department shall strive to review and approve projects on a first come, first served basis. However, the Department retains the right to review applications on other than a first come, first served basis if the Department deems such action is in the City's best interest.

## **ARTICLE IV**

### **USE OF PUBLIC WATER SUPPLY SYSTEM**

#### **Section 1**

The primary use of the public water supply system shall be for the supply of potable water to all connected users for residential, commercial, institutional, agricultural and industrial consumption and fire protection for structures within the area served by the distribution system.

#### **Section 2**

Auxiliary use of the public water system, such as using hydrants to fill swimming pools and the like shall only be permitted when such uses are approved by the Department and not in conflict with the primary uses under Section 1. Flooding ice rinks from hydrants is not permitted as auxiliary use.

#### **Section 3**

Except for hydrant use by Fire Departments in fighting fires or practicing for fire fighting, or Department use, all of the hydrants in the City of South Burlington, shall require prior approval and issuance of a hydrant use permit. The fee schedule is as set forth in Article VIII Rates. The applicant shall be responsible for providing the necessary hoses. The Department shall be responsible for attaching and disconnecting hydrant nozzle gate valves, water meters and backflow devices as required. Water drawn from any fire hydrant shall be considered non-potable and therefore not normally used for human consumption without further treatment.

Hydrant permit holders shall be financially responsible for the damage to any hydrant, meter, gate valve, or backflow device, caused by the permit holder or their agent's failure to protect said equipment during use. The hydrant permit holder shall also be financially responsible for the loss of said equipment.

#### **Section 4**

In the event of an emergency the Department shall have the right to:

1. Temporarily cut off water supply in order to make necessary repairs, connections, etc. While it is the intention to give notice in advance of planned work that may necessitate interruption of the supply, notice is to be considered a courtesy only, and not a requirement on the part of the City. In the case of a break in a pipeline, water may be shut off without notice to perform emergency repairs.
2. Reserve sufficient supply of water at all times in storage tanks to provide for fires or other emergencies, and restrict and regulate the quantity of water used by



customers in case of scarcity or whenever the public welfare may require such restriction or regulation.

3. Prescribe any temporary regulations as necessitated by emergency conditions.

#### Section 5

The City shall not be liable for any injury, loss or damage of whatever nature occasioned by the failure to maintain a constant uniform pressure within the water mains, leakage of hydrants, pipes, or other appurtenances or for damages occasioned by or growing out of a stoppage of said water by frost or other causes, or for damage occasioned by or growing out of an insufficient supply of the same, or for accident or damage of any kind caused by or growing out of the use or failure of said water.

#### Section 6

The City shall not be responsible for damage caused by dirty water, which may be occasioned by the cleaning of pipes or the opening and closing of gate valves or hydrants, when said work is done with reasonable care on the part of the Department.

#### Section 7

In case of a water quality emergency, the Department in accordance with Chapter 21 Rules shall notify the consumer immediately. While the Department is ultimately responsible for water quality to the "last tap" on the municipal system, the last tap shall be considered the last point on the system where water enters into a building and is registered at a water meter. Credit shall not be issued for the minimal use of water that is not fit for consumption by human or animal. Water quality notices shall be lifted only after the requirements of Chapter 21 have been achieved.

#### Section 8 Exemption From Sewer Charges As It Relates to Pool Filling and Lawn Watering

**Independent Water Meters:** Any homeowner may request the installation of an independent water meter that will be exempt from sewer charges. This meter may be installed by the SBWD after all criteria are met regarding its installation. After its installation no sewer charge will be assessed to any water used through this meter. The homeowner shall be responsible for all other charges associated with the meter including minimum billing fees charged to the account whether the meter is active or not.

**Definition Of An Independent Water Meter:** For purposes of this policy, an independent water meter is one that measures water that is not discharged into the sanitary sewer system. Possible uses include lawn irrigation system meters, and designated pool filling meters.

Criteria For Installation of Independent Meters: All requirements regarding water meters as stated in this ordinance shall apply. This meter shall be installed before the existing house meter so that no usage recorded through it is also recorded through the house meter. In addition, each independent meter shall have a minimum Watts Series 007 Backflow Prevention Device or approved equal, installed immediately after the meter. The line supplied by this meter shall have no connections to any part of the house plumbing system. It shall only supply an outside spigot or irrigation system that was initially applied for. The owner shall provide access to the SBWD, upon request, to replace, fix or inspect the meter.

Pool Filling: Property owners shall be encouraged to fill swimming pools from house spigots and not from hydrants whenever possible. Property owners shall be exempt from sewer charges when installing and filling a new pool or when replacing a liner that requires complete filling of the pool from the tap. The property owner must notify the Department no less than 2 working days in advance prior to filling the pool. Upon notification, a Department employee will visit the property to determine the size of the pool. The Department employee shall use standard pool filling quantity formulas to determine how much water will be needed. That amount shall then be credited from sewer charges at the next billing. This exemption from sewer charges shall not apply to "topping off" pools, or for leaks. If it is determined that it is not feasible to fill a swimming pool from a house spigot and a nearby hydrant is available for this use, then the property owner may fill from that hydrant provided:

1. The hydrant shall only be used to fill a new pool or when filling a pool that has had a new liner installed. "Topping off" a pool from a hydrant shall not be permitted.
2. The Department shall be notified no less than two working days prior to the pool filling.
3. The property owner shall be responsible for paying the current Fire Hydrant user fee in advance in addition to the current water rate for all water that passes through the hydrant meter.
4. The hydrant must be in a location so that the hose line does not cross any roads or drives in order to reach the pool.
5. The property owner shall be responsible for obtaining all hose necessary to extend from the hydrant to the swimming pool.
6. The pool filling shall only take place between 8:00 AM and 2:30 PM
7. The property owner shall be responsible for all property damage incurred with the use of the hydrant for pool filling.

8. The Department shall not be held responsible for any discolored (rusty) water discharged into the pool.

If the above criteria can be met then the Department shall install a hydrant nozzle gate valve, hydrant meter and back flow prevention device to the hydrant. The department shall flush the hydrant until the water appears satisfactory, close the hydrant nozzle gate valve and take a start reading from the hydrant meter. The property owner or pool company representative shall connect all hoses and open the hydrant nozzle gate valve to fill the pool. At the completion of the filling the property owner or pool company representative shall close the hydrant nozzle gate valve, disconnect the hose, and notify the Department that the pool filling is complete. The Department shall close the hydrant and take a final reading on the hydrant meter to determine actual usage for the pool filling. The property owner shall then be billed for the amount of water used during the pool filling process.

## Section 9

The Department maintains a listing on file of so-called private hydrants and fire services. Private water mains, and businesses within the City water system with fire hydrants, or sprinkler services are billed annually as referenced in Appendix I of this document. The Private hydrant charge is imposed in order to defer costs associated with the routine maintenance and testing costs incurred by the Department; similar to a service contract. Costs associated with damages and charges outside of routine maintenance are billed to the private hydrant owner. The fire service charge relates to potential unmetered water use through a fire sprinkler system. The fire service and private hydrant charge shall be established or revised from time to time by resolution of the Legislative Body.

## **ARTICLE V**

### **PROTECTION FROM DAMAGE**

#### **Section 1**

No person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance, or equipment, which is part of the Public Water system. Any person violating this provision shall be subject to immediate arrest under the charge of unlawful mischief as set forth in Title 13, Section 3701 of the Vermont Statutes Annotated. Any person violating this article on conviction thereof shall be fined a maximum amount allowed under State statute for each violation.

#### **Section 2**

Actual repair or replacement costs shall be charged to the owner or operator of any motor vehicle which shall cause such damage to any fire hydrant, blow off, or appurtenance. Hydrants, valves, curb stops, and standpipes shall not be tampered with or opened or closed by any person except Department employees or authorized persons.

#### **Section 3**

No person shall in any way, interfere or obstruct access to any valves, curb stops, fire hydrants, or other appurtenances within the City water distribution system.

#### **Section 4**

It shall be unlawful to cause or have caused the deliberate or unintentional contamination of publicly owned water mains or water supply.

#### **Section 5**

No unauthorized use of any fire hydrant within the City of South Burlington shall be permitted. Any person or firm found to be in violation of this Section may not be granted a hydrant permit within the City of South Burlington in the future. Any person or firm found to be in violation of this Section shall be charged for a minimum water use fee and the hydrant hook on fee.

#### **Section 6**

No person shall permit water from the water system to run to waste through any fixture for any purpose, that causes wasteful consumption without the prior approval of the Superintendent. The Department shall restrain and prevent any and all waste of water

to that end, and may when necessary, turn off water or take such other action, as in its judgment, appears proper.

#### Section 7

It shall be a violation of this Ordinance for any customer to violate a City of South Burlington conservation notice or order.

## **ARTICLE VI**

### **POWERS AND AUTHORITY OF INSPECTORS**

#### **Section 1**

The Superintendent and other duly authorized employees of the Department bearing proper credentials and identification shall be permitted to enter all properties with fair notice to the building owner, resident or occupant for the purposes of inspection, observation, measurement, sampling, and testing and maintenance in accordance with the provisions of this ordinance. If a property owner, resident or occupant denies the superintendent or other duly authorized employees of the Department access after reasonable notice has been provided to the property owner, resident or occupant, the Superintendent may direct disconnection on forty-eight (48) hours written notice to the owner, resident or occupant. Once water service has been disconnected it will not be restored until access has been provided and the Department has been paid all applicable charges.

#### **Section 2**

While performing the necessary work on private properties referred to in Section 1 above, the Superintendent or duly authorized employees of the Department shall observe all safety rules applicable to the premises established by the owner or tenant, and the owner or tenant shall be held harmless for injury or death to the Department employees. The Department employees and the Department shall indemnify the owner or tenant against liability claims and demands for injury of property damage except as may be caused by negligence or failure of the owner or tenant to maintain safe premises or conditions, including conduct or agents or employees of the owner or agent, as applicable.

#### **Section 3**

The Superintendent and other duly authorized employees of the Department bearing proper credentials and identification shall be permitted to enter all private properties through which the South Burlington Water Department holds an easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the water works lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the easement pertaining to the private property involved.

#### **Section 4**

The Department shall have the authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper or other uses beyond the water meter or backflow prevention device that may have a direct bearing on providing safe, potable water to its users.

## **ARTICLE VII**

### **PENALTIES**

#### **Section 1**

Any violation of this ordinance, except as set forth in Section 2 below, may be pursued as a civil violation utilizing the civil ordinance enforcement procedures set forth in 24 V.S.A. Section 1974a. Each day a violation continues shall be considered a new violation. In such civil proceedings, an Issuing Municipal Official is authorized to recover a waiver fee, in lieu of civil penalty, in the following amount, for any person who declines to contest a municipal complaint and pays the waiver fee:

First offense	\$20
Second offense	\$40
Third offense	\$80
Fourth offense	\$160
Fifth offense and subsequent offenses	\$350

Offenses shall be counted on a calendar year basis.

An Issuing Municipal Official is authorized to recover civil penalties in the following amounts for each violation:

First offense	\$50
Second offense	\$75
Third offense	\$150
Fourth offense	\$300
Fifth offense and subsequent offenses	\$500

Offenses shall be counted on a calendar year basis.

#### **Section 2**

Any violation of the sections of this ordinance set forth below may be pursued as a criminal violation utilizing the criminal ordinance enforcement procedure set forth in 24 V.S.A. Section 1974:

Article II, Sections 4 & 5  
Article III, Sections 1, 8 & 10  
Article IV, Section 3  
Article V, Sections 4

### Section 3

In addition to the enforcement authority set forth above, the City shall have the right to institute civil action which it deems appropriate to obtain injunctive or monetary relief.

### Section 4

The Department shall, when its discretion time allows, provide any person found to be violating any provision of this ordinance with written notice stating the nature of the violation and providing a reasonable time period for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, correct the violation.



## ARTICLE VIII

### RATES

#### Section 1

The Legislative Body shall have the authority to establish rates, including service initiation fees, hydrant use fees, user fees, turn on/shut off fees, and other similar fees to defray the costs of planning, design, construction, operations and maintenance of the system. The rates shall be established by resolution at an open meeting of the Legislative Body.

#### Section 2

All new users shall pay a service connection fee at the time of submittal of the application for water service. The water service application fee is a two-part fee comprised of a service connection fee and a water service initiation fee. The service connection fee defrays City's past, current and future costs, both direct and indirect, of providing potable water and water for fire protection to the customer. The water service initiation fee covers the costs of tapping the water main based on time and material. **See Rates and Fee Schedule Appendix I.**

#### Section 3

A hydrant use fee shall be paid by all users, (not including fire department's while fighting or practicing the fighting of fires) for use of any hydrant within the City's distribution system at the time of submittal for the application for hydrant use. The hydrant fee schedule is shown in the Rate and Fee Schedule, Appendix II. In addition to payment of the hydrant use fee, the applicant shall be responsible for payment of normal user fees for all water taken from the hydrant. All hydrant use must be completed during normal Department working hours so as to allow adequate time for shut down and retrieval of the meter. Hydrant use in excess of the standard one day period may be approved by the Superintendent if such use is determined not to be in conflict with any Article of this Ordinance.

Any outstanding balance due for water charges from a requesting individual or firm shall be paid in full prior to connecting a hydrant meter to any hydrant within the City.

#### Section 4

A user fee shall be paid by all users of the Department water system based upon the multiplied product of their metered water usage, and a water rate per 1,000 cubic feet as set by the legislative body, except as set forth in subsection (a) or (b), and as shown in the Rate and Fee Schedule, Appendix I:

- A. There shall be a minimum water usage fee for each individual account the equivalent of 1,000 cubic feet per billing cycle.
1. The minimum use fee reflects the fact that all users of the system receive some level of fire protection in addition to the benefit of potable water use. This charge is also based in part of the significant portion of water system expenses that are independent of actual customer usage.
  2. This fee is payable whether or not water is physically turned on or off to the facility at the meter during part or all of the billing period, provided the service connection is physically connected to the main line. Water service termination at the curb stop needs to be arranged in order to **not** be responsible for at least a minimum quarterly bill. No abatement of water rates will be allowed by reason of disuse, diminished use, or vacancy of premises without proper notice to the Department.
- B. Any account that has been finalized between regular billing cycle readings shall be billed for the larger of: the actual metered usage, the estimated usage, or the minimum charge for the billing period, when 30 days or more have occurred since the last reading. For readings less than 30 days apart no water usage charge shall be applied unless actual usage is 1,000 cubic feet or more.

#### Section 5

There shall be shut off and turn on fees as determined by the Legislative Body for turning on and shutting off water at the curb stop. These fees shall be charged in all cases except when it is determined that there is a problem with the service connection between the curb stop and the main line or a problem with the meter or meter connection fittings. Fees for services associated with delinquency disconnects shall be the maximum allowed under Title 24, V.S.A. Chapter 129, Uniform Water and Sewer Disconnect. The owner of the property is responsible for all problems between the curb stop (not including the curb stop) and the building with exception of the meter itself, which is the Department's responsibility. When multiple service calls are required for a single repair, each call shall be billed individually. These fees are shown in the Rate and Fee Schedule, Appendix II.

#### Section 6

Excess revenues may be placed into a sinking fund, accessible for use on water system related construction improvements, or debt retirement.

#### Section 7

Water charges will be invoiced quarterly to residential and commercial accounts. Water charges shall be payable on or before the 30th day following the date of the invoice or a

later date as shown on the invoice. In the event that such charge is not paid when due, interest of One and One-half (1.5%) percent shall be imposed by the Department per month after the first thirty (30) days of delinquency and monthly thereafter until the invoice is paid. If any account shall remain delinquent, the Department may also take action that is consistent with the provisions of Title 24, V.S.A. Chapter 129, Uniform Water and Sewer Disconnect, as presently constituted and as amended from time to time, to obtain payment of delinquent charges or to discontinue water service. Such charges shall be a lien upon the real estate as provided in 24 V.S.A. 3306 and 32 V.S.A. 5061.

New water connections made during a billing period shall be billed on the following basis:

The billing shall be the larger of the actual metered billing, the estimated usage, or the minimum charge for the billing period.

### Section 8

In consideration of water service supplied by the Department, all applicants agree to be responsible for payment of all bills rendered for all water used by the applicant, their tenants, successors in tenancy or in ownership, and all other operations at the specified location, unless and until proper notice is given to the Department of termination of service on a specific date. The applicant shall agree to abide by all rules and regulations established by the Department, consistent with enforcement of the provisions of this ordinance.

All water charges will be billed to the owner of record of the facility(ies) served, unless waived by the Department. Upon written request, the Department may provide billing to the tenant within the facility of record. Although another person may pay the service rate, the owner of the premises shall be held responsible for such fees. In the event the tenant fails to pay all charges on a timely basis, the landlord will be solely responsible for all future and delinquent charges. Each time a bad check is received for payment of a water bill the account shall be charged that amount as listed in Appendix I in addition to any other penalties.

There will be a fee for interim or final bills requested due to a change of owners or tenants as listed in Appendix I. This fee is in addition to any charges owed for metered water.

### Section 9

Each structure served by a fire suppression system (sprinklers) shall pay an annual fee for each sprinkler line served by the public water main. The fee is shown in the Rate and Fee Schedule, Appendix I.

#### Section 10

The Rate and Fee Schedule, Appendix I may be reviewed by the Legislative body on an as needed basis.

#### Section 11

The Department residential and commercial service application fee shall be assessed to each building that has applied for a tap to a CWD owned transmission main, in addition to any connection charges levied by CWD. In addition, all other rates and fees shall apply according to this ordinance.

#### Section 12

In the case of new construction, the Department shall read the water meter at the time of closing. This reading shall be used as the "final reading" for real estate transfers involving the new premises, when the information is requested by either party for their real estate closing.

#### Section 13

By accepting water service from the City, the customer, his transferees, successors, and assignees, together with any record lien holders of customer, agree that a lien applied by the Department shall have priority over all liens except real estate tax liens.

## **ARTICLE IX**

### **Disconnection Policy**

This water service disconnection policy outlines South Burlington Water Department's conditions of termination and pertinent regulations and allows for the disconnection of water or sewer services, or both, as a delinquency collection procedure for water or sewer delinquencies.

It is the policy of the Department that reconnections requested outside normal working hours shall only be made in special circumstances and in compliance with Title 24, Chapter 129, as determined by the Superintendent or the City Manager.

Water that is disconnected pursuant to Title 24, Chapter 129 shall be reconnected at the following rates:

Collection Trips - \$25.00 /trip maximum, regardless of number

Reconnection: Normal Hours-7:00 a.m. to 3:30 p.m. - \$25.00

Overtime - after 3:30 p.m., weekends, holidays - \$37.50

## **ARTICLE X**

### **VALIDITY**

#### Section 1

The City of South Burlington System Ordinance shall be amended in its entirety and shall take effect as set forth above on passage.

#### Section 2

The validity of any section, clause, sentence, or provision of this ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.

#### Section 3

The Legislative Body may amend this ordinance at any time.

Adopted by the South Burlington City Council, on this \_\_\_\_ day of, \_\_\_\_\_, 2002.

South Burlington City Council

\_\_\_\_\_  
James Condos

\_\_\_\_\_  
Terrance Sheahan

\_\_\_\_\_  
Chris Smith

\_\_\_\_\_  
Steve Magowan

\_\_\_\_\_  
Daniel O'Rourke